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Wildfire Subrogation Claimant Proof of Claim Form

Weil, Gotshal & Manges LLP
767 Fifth Avenue
New York, NY 10153-0119

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA (SAN FRANCISCO DIVISION)**

In re:
PG&E CORPORATION,
- and -
PACIFIC GAS AND ELECTRIC
COMPANY,
Debtors.

Bankruptcy Case
No. 19-30088 (DM)
Chapter 11
(Lead Case)
(Jointly Administered)

Proof of Claim (Wildfire Related – Subrogation Insurers)

Read the instructions before filling out this form.

This form is for Subrogation Insurers to assert general unsecured claims based on amounts paid or reserved for damages or losses resulting from a wildfire. Do not use this form to assert any other pre-petition claims.

Filers must leave out or redact information that is entitled to privacy on this form or on any attached documents. Attach redacted copies of any documents that support the claim. **Do not send original documents;** they may be destroyed after scanning. If the documents are not available, explain in an attachment. A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both. 18 U.S.C. §§ 152, 157, and 3571. **Fill in all the information about the claim as of January 29, 2019, except where otherwise specified.**

Part 1: Identify the Claim

<p>1. Is this proof of claim being filed on behalf of one or multiple creditors (i.e., other affiliated insurance companies)?</p>	<p><input type="checkbox"/> One creditor <input type="checkbox"/> More than one creditor</p>																																				
<p>2. Who is (are) the current creditor(s)? For more than ten creditors, please attach separate schedule.</p>																																					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Name of Creditor 1</td> <td style="width: 50%;">Name of Creditor 2</td> </tr> <tr> <td>Name of Creditor 3</td> <td>Name of Creditor 4</td> </tr> <tr> <td>Name of Creditor 5</td> <td>Name of Creditor 6</td> </tr> <tr> <td>Name of Creditor 7</td> <td>Name of Creditor 8</td> </tr> <tr> <td>Name of Creditor 9</td> <td>Name of Creditor 10</td> </tr> </table>		Name of Creditor 1	Name of Creditor 2	Name of Creditor 3	Name of Creditor 4	Name of Creditor 5	Name of Creditor 6	Name of Creditor 7	Name of Creditor 8	Name of Creditor 9	Name of Creditor 10																										
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Name of Creditor 7	Name of Creditor 8																																				
Name of Creditor 9	Name of Creditor 10																																				
<p>3. Are the creditor(s) part of one carrier group?</p>																																					
<p><input type="checkbox"/> No <input type="checkbox"/> Yes. Identify the group: _____</p>																																					
<p>4. Has this claim been acquired from someone else? (See question 9)</p>																																					
<p><input type="checkbox"/> No <input type="checkbox"/> Yes. From whom? _____</p>																																					
<p>5. Where should notices and payments to the creditor(s) be sent?</p>																																					
<table style="width: 100%; border-collapse: collapse;"> <tr> <th colspan="3">Where should notices to the creditor(s) be sent?</th> <th colspan="3">Where should payments to the creditor(s) be sent? (if different)</th> </tr> <tr> <td colspan="3"> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Name</td> <td style="width: 50%;">Name</td> </tr> <tr> <td>Number</td> <td>Street</td> <td>Number</td> <td>Street</td> </tr> <tr> <td>City</td> <td>State</td> <td>ZIP Code</td> <td>City</td> <td>State</td> <td>ZIP Code</td> </tr> <tr> <td>Contact phone</td> <td colspan="2"></td> <td>Contact phone</td> <td colspan="2"></td> </tr> <tr> <td>Contact email</td> <td colspan="2"></td> <td>Contact email</td> <td colspan="2"></td> </tr> </table> </td> <td colspan="3"></td> </tr> </table>		Where should notices to the creditor(s) be sent?			Where should payments to the creditor(s) be sent? (if different)			<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Name</td> <td style="width: 50%;">Name</td> </tr> <tr> <td>Number</td> <td>Street</td> <td>Number</td> <td>Street</td> </tr> <tr> <td>City</td> <td>State</td> <td>ZIP Code</td> <td>City</td> <td>State</td> <td>ZIP Code</td> </tr> <tr> <td>Contact phone</td> <td colspan="2"></td> <td>Contact phone</td> <td colspan="2"></td> </tr> <tr> <td>Contact email</td> <td colspan="2"></td> <td>Contact email</td> <td colspan="2"></td> </tr> </table>			Name	Name	Number	Street	Number	Street	City	State	ZIP Code	City	State	ZIP Code	Contact phone			Contact phone			Contact email			Contact email					
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Contact phone			Contact phone																																		
Contact email			Contact email																																		
<p>6. Does this claim amend one already filed?</p>																																					
<p><input type="checkbox"/> No <input type="checkbox"/> Yes. Claim number on court claims registry (if known) _____ Filed on _____ MM / DD / YYYY</p>																																					
<p>7. Do you know if anyone else has filed a proof of claim for this claim?</p>																																					
<p><input type="checkbox"/> No <input type="checkbox"/> Yes. Who made the earlier filing? _____</p>																																					
<p>8. Was a lawsuit filed pre-petition in connection with this (these) claim(s)?</p>																																					
<p><input type="checkbox"/> No <input type="checkbox"/> Yes. Please Identify Lawsuit: Case/Docket # _____ Court: _____</p>																																					

Part 2: Attorney Information (Optional)

9. Who represents you in this matter?

You do not need an attorney to file this form

Who represents you in this matter?

Law Firm Name _____

Attorney Name _____

Number Street _____

City State ZIP Code _____

Contact phone _____ Contact email _____

Part 3: Give Information About the Claim as of the Date the Case Was Filed

10. Provide a summary of the underlying claims:

Subrogation insurers must produce a file containing details of the individual claims (paid or reserved) that form the basis of this claim. (See question 8)

Name of Insurer (if different than the creditor listed in question 1): _____

Nature of underlying claim(s) (check all that apply):

- Structure Claims
- Personal Property Claims
- Automobile Claims
- Other. Describe: _____

Total number of individual claims that form the basis of this claim: _____

Total aggregate claim amount (amount to reflect all individual claims that have been paid or reserved by the insurer): \$ _____

11. Provide supporting data for each of the underlying claims.

Within five (5) business days after receipt of a Wildfire Subrogation Claimant Proof of Claim Form in which a claimant asserts multiple Wildfire Subrogation Claims, Prime Clerk will send the filer an email request to provide an electronic file containing the following information for each of the individual claims that form the basis of this claim. This information must be provided to Prime Clerk in the form requested so as to be received within 10 business days of the email request being sent by Prime Clerk. When submitting the electronic files, please provide definitions or explanations of all defined terms used therein.

1. Insurance Company Name
2. Fire Name
3. Policy Number
4. Policy Limit
5. Claim Number
6. Claim Type (e.g., Auto, Commercial, Homeowners)
7. Claim Status (Open/Closed)
8. Type of Loss (e.g., structure, personal property, automobile)
9. Insured Name
10. Parcel ID
11. Loss Location Street Address
12. Loss Location City
13. Loss Location ZIP
14. Date of Loss
15. Total Paid/Reserved by Claim Type (e.g., Auto, Commercial, Homeowners)
16. Total Paid/Reserved by Loss Type (e.g., structure, personal property, automobile):

12. Provide supporting documentation for any underlying claims that have been assigned, sold or otherwise transferred to the Creditor.

If any of the individual claims that form the basis of this claim have been acquired through an assignment, please provide the following additional information for each individual claim:

1. A copy of the original contract of sale / assignment of contract for the underlying subrogated claim, and/or any other documentation reflecting a valid assignment of the subrogated rights.
2. A copy of insurer's written notification to insured (pursuant to 10 Cal. Code Regs. § 2695.7(p)) of its election not to directly pursue subrogation or discontinuation of its pursuit of subrogation.
3. A copy of the underlying policy for the subrogated claim.

Part 4: Sign Below

**The person completing this proof of claim must sign and date it.
FRBP 9011(b).**

If you file this claim electronically, FRBP 5005(a)(2) authorizes courts to establish local rules specifying what a signature is.

**A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157, and 3571.**

Check the appropriate box:

- I am the creditor.
- I am the creditor's attorney or authorized agent.
- I am the trustee, or the debtor, or their authorized agent. Bankruptcy Rule 3004.
- I am a guarantor, surety, endorser, or other codebtor. Bankruptcy Rule 3005.

I understand that an authorized signature on this *Proof of Claim* serves as an acknowledgment that when calculating the amount of the claim, the creditor gave the debtor credit for any payments received toward the debt.

I have examined the information in this *Proof of Claim* and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on date _____ (mm/dd/yyyy)

Signature

Print the name of the person who is completing and signing this claim:

Name _____ First name _____ Middle name _____ Last name _____

Title _____

Company _____
Identify the corporate servicer as the company if the authorized agent is a servicer.

Address _____ Number _____ Street _____

City _____ State _____ ZIP Code _____

Contact phone _____ Email _____

Instructions for Proof of Claim (Wildfire Related – Subrogation Insurers)

United States Bankruptcy Court

These instructions and definitions generally explain the law. In certain circumstances, such as bankruptcy cases that debtors do not file voluntarily, exceptions to these general rules may apply. You should consider obtaining the advice of an attorney, especially if you are unfamiliar with the bankruptcy process and privacy regulations.

A person who files a fraudulent claim could be fined up to \$500,000, imprisoned for up to 5 years, or both.
18 U.S.C. §§ 152, 157 and 3571.

How to fill out this form

- **Fill in all of the information about the claim as of January 29, 2019.**
- **If the claim has been acquired from someone else, then state the identity of the last party** who owned the claim or was the holder of the claim and who transferred it to you before the initial claim was filed.
- **Attach any supporting documents to this form.**
Attach redacted copies of any documents that show that the debt exists, a lien secures the debt, or both. (See the definition of *redaction* on the next page.)
- **Do not attach original documents because attachments may be destroyed after scanning.**
- **If the claim is based on delivering health care goods or services, do not disclose confidential health care information. Leave out or redact confidential information both in the claim and in the attached documents.**
- **A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, individual's tax identification number, or financial account number, and only the year of any person's date of birth.** See Bankruptcy Rule 9037.
- **For a minor child, fill in only the child's initials and the full name and address of the child's parent or guardian.** For example, write *A.B., a minor child (John Doe, parent, 123 Main St., City, State)*. See Bankruptcy Rule 9037.

Confirmation that the claim has been filed

To receive confirmation that the claim has been filed, either enclose a stamped self-addressed envelope and a copy of this form. You may view a list of filed claims in this case by visiting the Claims and Noticing Agent's website at <https://restructuring.primeclerk.com/pge>.

Understand the terms used in this form

Claim: A creditor's right to receive payment for a debt that the debtor owed on the date the debtor filed for bankruptcy. 11 U.S.C. §101 (5). A claim may be secured or unsecured.

Creditor: A person, corporation, or other entity to whom a debtor owes a debt that was incurred on or before the date the debtor filed for bankruptcy. 11 U.S.C. § 101 (10).

Debtor: A person, corporation, or other entity who is in bankruptcy. Use the debtor's name and case number as shown in the bankruptcy notice you received. 11 U.S.C. § 101 (13).

Information that is entitled to privacy: A *Proof of Claim* form and any attached documents must show only the last 4 digits of any social security number, an individual's tax identification number, or a financial account number, only the initials of a minor's name, and only the year of any person's date of birth. If a claim is based on delivering health care goods or services, limit the disclosure of the goods or services to avoid embarrassment or disclosure of confidential health care information. You may later be required to give more information if the trustee or someone else in interest objects to the claim.

Proof of claim: A form that shows the amount of debt the debtor owed to a creditor on the date of the bankruptcy filing. The form must be filed in the district where the case is pending.

Redaction of information: Masking, editing out, or deleting certain information to protect privacy. Filers must redact or leave out information entitled to **privacy** on the *Proof of Claim* form and any attached documents.

Secured claim under 11 U.S.C. § 506(a): A claim backed by a lien on particular property of the debtor. A claim is secured to the extent that a creditor has the right to be paid from the property before other creditors are paid. The amount of a secured claim usually cannot be more than the value of the particular property on which the creditor has a lien. Any amount owed to a creditor that is more than the value of the property normally may be an unsecured claim. But exceptions exist; for example, see 11 U.S.C. § 1322(b) and the final sentence of § 1325(a).

Examples of liens on property include a mortgage on real estate or a security interest in a car. A lien may be voluntarily granted by a debtor or may be obtained through a court proceeding. In some states, a court judgment may be a lien.

Unsecured claim: A claim that does not meet the requirements of a secured claim. A claim may be unsecured in part to the extent that the amount of the claim is more than the value of the property on which a creditor has a lien.

Offers to purchase a claim

Certain entities purchase claims for an amount that is less than the face value of the claims. These entities may contact creditors offering to purchase their claims. Some written communications from these entities may easily be confused with official court documentation or communications from the debtor. These entities do not represent the bankruptcy court, the bankruptcy trustee, or the debtor. A creditor has no obligation to sell its claim. However, if a creditor decides to sell its claim, any transfer of that claim is subject to Bankruptcy Rule 3001(e), any provisions of the Bankruptcy Code (11 U.S.C. § 101 et seq.) that apply, and any orders of the bankruptcy court that apply.

Please send completed Proof(s) of Claim to:

If by first class mail:

PG&E Corporation Claims Processing Center
c/o Prime Clerk LLC
Grand Central Station, PO Box 4850
New York, NY 10163-4850

If by overnight courier or hand delivery:

PG&E Corporation Claims Processing Center
c/o Prime Clerk LLC
850 Third Avenue, Suite 412
Brooklyn, NY 11232

Do not file these instructions with your form